

Board of Adjustment  
PO Box 120  
Town of Fremont, New Hampshire 03044

Members present: Chairman Richard Butler, Co-chairman Jack Baker, Doug Andrew, Brett Hunter, and recording Secretary Meredith Bolduc.

Mr. Butler called the meeting to order at 7:30 p.m. then called the roll.  
It was agreed to go directly to the scheduled Public Hearing and take care of any Board business when the Hearing was finished.

Case # 05-006  
Walter and Sandra Sadlier  
MAP 2 LOT 156-1.11  
Cont. from 6-14-05

Present: Owners Walter and Sandra Sadlier, abutters Brande McLean, Bob Garside. Also present were Michelle Bunnemeyer, Ed and Lisa Brylczyk, Lisa Page, Warren and Louise Yee.

Mr. Butler opened this Public Hearing at 7:30 pm and stated that this is a continuation of the June 14, 2005 portion of this Public Hearing.

Mr. Butler reported that he, Brett Hunter, Doug Andrew and Jack Baker had met at the site at 6:30 pm on Tuesday June 21, 2005 and found that the site meets all other setbacks and there were some trees between lots.

Mr. Butler related that there is not a full Board present and gave the applicant the option of waiting for a full Board for a decision. The applicant opted to move forward with the four members present.

Mr. Butler reiterated that at the June 14, 2005 portion of this Public Hearing Mr. Sadlier stated that he is seeking a Variance to allow him to construct a 12 foot by thirty foot (12' x 30') addition which will include a 3rd attached garage and a second level in-law dwelling unit. The existing garage is 22'x30'. This addition will be 12'x30' on what they

have now and space already there will be used for a combined living space of 30'x 34'. The plan presented showed the entire 2.37 (103,237 sq. ft.) lot, existing buildings, proposed addition, setbacks to property lines, well and septic locations. As stated in the Building Inspectors letter the in-law dwelling unit would require the lot size to be a minimum of 2 acres plus an additional 24, 000 sq ft, for a total of 2.55 acres (111,120 sq.ft).

Mr. Butler reported that, as a result of questions raised at the June 14 2005 portion of this Public Hearing, on June 15, 2005 the Board contacted Town Counsel relative to a condition note on the 1988 Evergreen Estates subdivision plan that reads "proposed subdivision is for single family dwellings ". Mr. Butler stated that the subject lot is in the Evergreen Estates subdivision. He added that Counsel advised that the current lot owner could seek a waiver of that condition/restriction note from the Planning Board and that the Planning Board would have to vote to waive the restriction before the Zoning Board could grant a Variance.

Mr. Butler asked the applicants if they want the Board of Adjustment to continue this hearing to a date certain to allow time for them to seek Planning Board action. Mr. Sadlier answered that he will seek Planning Board approval of the waiver and requested that this Public Hearing be continued.

It was the consensus of the Board to address the issue of the five conditions, which must be found in order to grant a Variance, at the continued portion of this Public Hearing after the Planning Boards action is complete.

There were some questions by the abutters present relative to notifications. Mrs. Bolduc explained the notification process noting that they will be notified via certified mail of a separate Planning Board Public Hearing, but the continuation date for this Hearing as announced by the Chairman tonight is their notice for that portion of this Public Hearing.

Mr. Hunter made the motion to continue this Public Hearing to 7:30 pm on August 30, 2005 to allow the applicant time to seek Planning Board action in the form of a waiver from the note of condition on the 1988 Evergreen Estates subdivision plan relative to single family dwellings.

Motion seconded by Mr. Baker with unanimous favorable vote.

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MINUTES

Mr. Hunter made the motion to accept the June 14, 2005 meeting minutes as written.  
Motion seconded by Mr. Andrew with unanimous favorable vote.

There was a general discussion relative to regulations.

Mr. Hunter made the motion to adjourn at 8:35 p.m.  
Motion seconded by Mr. Baker with unanimous favorable vote.

Respectfully submitted,  
Meredith Bolduc, Clerk

cc: SO, TC, PB, CC, RA, BI, HO, PD, FD  
file 2-156.-11